

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TOMIKA D. SHAW,

Petitioner,

Case No. 1:02-CV-830

v.

Hon. Gordon J. Quist

KURT JONES,

Respondent.

_____ /

ORDER DENYING *IN FORMA PAUPERIS* STATUS ON APPEAL

Petitioner has filed a motion to proceed *in forma pauperis* on appeal. In a deficiency order entered February 17, 2006, petitioner was advised of certain deficiencies in his motion seeking *in forma pauperis* status on appeal. Petitioner was further advised that he must comply with the requirements of Fed. Rule App. Proc. 24(a), which include filing (1) a motion for leave to proceed *in forma pauperis*; and, (2) an affidavit showing his inability to pay the required fees (in the detail prescribed by Form 4 of the Appendix of Forms), his belief that he is entitled to redress, and a statement of the issues he intends to present on appeal. Petitioner has submitted a motion to proceed *in forma pauperis*, a copy of his certificate of institutional trust fund account activity, and an “affidavit of indigency.” See docket nos. 65, 66. However, petitioner’s “affidavit of indigency” does not meet the requirements of Rule 24(a). The “affidavit” is neither notarized nor verified as required by 28 U.S. § 1746, and does not include a statement of issues he intends to present on appeal.

Petitioner has not corrected the deficiencies nor submitted the \$255.00 filing and docketing fee for his appeal. Accordingly, petitioner's motion to proceed on appeal *in forma pauperis* (docket no. 65) is **DENIED** without prejudice.

IT IS SO ORDERED.

Dated: March 30, 2006

/s/Gordon J. Quist
Gordon J. Quist
United States District Judge